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January 18, 2022

Hon. Joan M. Azrack
United States District Judge
Eastern District of New York
Filing via ECF

Re: United States v. McPartland and Spota, 17-cr-587

Dear Judge Azrack:

As you know, I represent Gus Garcia-Roberts, a journalist and author who has taken keen interest in the above entitled matter. His book is coming out on May 3, 2022. <https://www.publicaffairsbooks.com/titles/gus-garcia-roberts/jimmy-the-king/9781549150319/>

I write pursuant to his First Amendment rights, as well as the strong presumption of openness in the federal courts, to request that the sentencing minutes in United States v. Leto (Believed to be 15-591) and United States v. Hickey (Believed to be 16-017) be unsealed and access provided to Mr. Garcia-Roberts. It is my understanding that Mr. Leto was sentenced sometime late last year, and Mr. Hickey is scheduled to be sentenced early this year. We cannot locate these matters on the docket, so we are left to guess. We further request that all documents on the docket be made public, barring a showing of some extraordinary need, at this stage, for those documents (or portions thereof) to remain under seal.

As you know, both men testified at trial and their status as cooperators must have been fully revealed before the jury and the public. Thus, there is no reason to protect this information, as there might be at earlier stages in the proceedings. Since they have been, or about to be sentenced, this signifies that their period of

cooperation has ended. Of course, in the process of extolling their virtues under 5K1.1, the government may have provided information related to ongoing investigations or matters that require continuing secrecy so as not to compromise investigations or prosecutions. Those matters, if they exist, can be redacted. But there appears no lawful reason why the rest of the sentencing minutes should remain sealed.

Thank you for your attention to this matter.

Sincerely,



Ronald L. Kuby